

**BEFORE THE ARIZONA BOARD OF
OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY**

IN THE MATTER OF:)	Case No. 2662
)	
AUDREY SHAEFFER, D.O.)	FINDINGS OF FACT,
Holder of License No. 2458 for the)	CONCLUSIONS OF LAW
practice of osteopathic medicine)	AND BOARD ORDER FOR
in the State of Arizona.)	PROBATION
_____)	

INTRODUCTION

This matter came before the Board of Osteopathic Examiners in Medicine and Surgery (hereafter "Board") for final consideration and decision at the Board's public meeting held on October 14, 2000. Pursuant to its statutory authority at A.R.S. § 32-1855(E), the Board held an Investigative Hearing on October 14, 2000. During the course of these proceedings, Audrey Shaeffer D.O. (hereinafter "Respondent") was present and not represented by legal counsel.

Based upon Respondent's testimony and documentary evidence submitted to the Board, the board issues the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent is a licensee of the Board and the holder of License No. 2458.
2. On or about June 3, 1999 the Board received information alleging that Respondent was unconcerned about Respondent's health complaints, could not be reached to refill prescriptions and was rude and unfriendly to the patient.
3. On June 27, 1998 the Board issued Respondent a Letter of Concern in Case No. 2318 regarding the allegation that she violated A.R.S. §32-1854(6) by engaging in the practice of medicine that the Board determines may fall below the community standard in regards to Respondent's demeanor and communication towards patients. A Letter of Concern is a public document and may be cited in future disciplinary actions.

4. At the Board's October 14, 2000 open meeting, the Board heard testimony from Respondent and reviewed all documentation on the allegations. In public session the Board voted on October 14, 2000 that Respondent's license should be placed on a probationary status for continuing medical education, a psychological evaluation and counseling. The Board authorized the Executive Director to sign and issue a Board Order regarding Respondent that follows hereinafter.

CONCLUSIONS OF LAW

1. Pursuant to Arizona Revised Statutes § 32-1800, et seq., the Arizona Board of Osteopathic Examiners in Medicine and Surgery has subject matter and personal jurisdiction in this matter.

2. The Board has the authority to enter into an order for disciplinary action against a license, pursuant to A.R.S. § 41-1063, A.R.S. § 32-1855 and A.R.S. § 32-1861(D).

3. The Respondent engaged in unprofessional conduct as defined in A.R.S. § 32-1854 by violating federal and state statutes and regulations:

(6) Engaging in the practice of medicine in a manner that harms or may harm a patient or that the Board determines falls below the community standard.

(40) Any conduct or practice that endangers a patient's or the public's health or may reasonably be expected to do so.

ORDER

Pursuant to the authority vested in the Board, **IT IS HEREBY ORDERED THAT:**

1. Audrey Shaeffer, D.O. ("Respondent") shall comply with the following terms and conditions of this agreement:

2. Respondent's Board License Number 2458 will be placed under **PROBATION**. The probation will consist for a period of at least one year after completion of the CME

requirements in Ordering Paragraph 3, below. Respondent will make a request in writing to have the terms and conditions of probation terminated at that time and the Board will consider Respondent's compliance with this Order. Respondent shall comply with the terms and conditions of probation as set forth herein:

3. From the date of this Order, Respondent shall obtain a total of ten hours of continuing medical education ("CME") in each of the following areas: physician/patient communications and handling difficult patients. The CME shall be approved in advance by the Board's Executive Director or designee. The CME requirement of this Board order is in addition to the CME requirement that Respondent needs to maintain his osteopathic medical license in Arizona.

4. From the date of this Order, Respondent shall obtain a psychological evaluation by a licensed psychologist selected by the Board and paid for by the Respondent. Upon completion of the evaluation, Respondent shall receive treatment by a therapist(s) who is either a licensed psychiatrist and/or psychologist and is selected by Respondent and approved by the Board. Respondent shall comply with the therapist recommendation for the frequency of therapy treatment sessions. Respondent shall inform the Board by letter (mailed within ten days of the date of this Order) of the therapist's name; and, Respondent shall undertake and fully cooperate with a program of treatment established by the therapist. In the event Respondent changes therapists, she shall give the Board written notice within ten (10) days of said action. Respondent shall not discontinue or reduce the frequency of psychotherapy sessions until he has submitted a written request to the Board and obtained Board approval. All costs associated with the evaluation and treatment shall be the responsibility of Respondent.

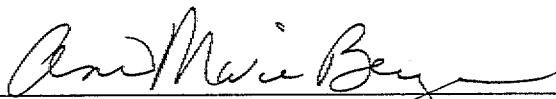
5. In the event Respondent moves and ceases to practice medicine in Arizona, he shall give written notice to the Board of his new residence address within twenty (20) days of moving; and, the terms and duration of probation may be stayed by the Board until Respondent returns to practice medicine in Arizona.

6. Respondent shall continue to meet all licensing requirements such as continuing medical education and renewal requirements including applicable fees pursuant to A.R.S. § 32-1825.

7. Respondent's failure to comply with the requirements of this Order shall constitute unprofessional conduct as defined at A.R.S. § 32-1854(26), as amended, and may be considered as grounds for further disciplinary action (e.g., suspension or revocation of license) in the event that Respondent fails to comply with any of the requirements of this Order.

ISSUED this 16th day of October, 2000.

ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY

By: 
Ann Marie Berger, Executive Director
9535 E. Doubletree Ranch Road
Scottsdale AZ 85258
(480) 657-7703

Notice of Request For Rehearing:

You have the right to request a rehearing or review of this matter pursuant to A.R.S. § 41-1092.90. The request for rehearing or review must be filed with the Arizona Board of Osteopathic Examiners in Medicine and Surgery within thirty (30) days. Specify in detail and with particularity at least one of the seven grounds that apply to your request for rehearing or review, as mandated by A.A.C. R4-22-106(C). A request for rehearing or review shall be a prerequisite prior to seeking judicial review pursuant to A.R.S. § 41-1092.09.

Served by personal service or
sending U.S. certified mail
this 16 day of October, 2000 to:

Audrey Shaeffer, D.O.
310 N. Wilmot #306
Tucson AZ 85711

Copy mailed this 16 day of October, 2000 to:

Blair Driggs
Assistant Attorney General
Office of the Attorney General
1275 W. Washington
Phoenix AZ 85007 (w/enclosure)

Anita Boyd